



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
FEBRUARY 22, 2005 – 6:30 PM

6:30 PM

- STUDY SESSION
 - > CITY COUNCIL ORIENTATION
 - City Attorney
 - > UPDATE ON COMMUTER RAIL URBAN RENEWAL FEASIBILITY STUDY (Schedule and status of Downtown)
 - Community Development Director
- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING
 - 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items
2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
 - Follow-up to Previous Citizen Communication

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - 3.1 Approve Council Minutes for January 18, and 24, 2005
 - 3.2 Approve Budget Amendment No. 9 to the Fiscal Year 2004-05 Budget to Increase Appropriations in the Library Department for Additional Hours of Operation to Re-Open the Library on Sundays – Resolution No. 05-____
 - 3.3 Local Contract Review Board:
 - a. Award Contract for the Construction of North Dakota Street Pedestrian Crosswalk
 - b. Approve Amendment to Engineering Services Contract for Murray Smith & Associates, Inc., for Design of a 550-Foot Zone Reservoir No. 2
 - *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*
4. RECOGNIZE OUTSTANDING CITIZEN ASSISTANCE
 - Staff Report: Chief of Police
5. CONSIDER INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF TIGARD AND TRIMET FOR THE ASSIGNMENT OF A FULL-TIME POLICE OFFICER TO THE TRANSIT POLICE DIVISION
 - a. Staff Report: Chief of Police
 - b. Council Consideration: Motion approving the IGA and authorize the Interim City Manager to Sign
6. CONSIDER BUDGET AMENDMENT NO. 8 TO THE FISCAL YEAR 2004-05 BUDGET TO ADD A FULL-TIME POLICE OFFICER POSITION AND INCREASE APPROPRIATIONS FOR FUNDING OF THIS POSITION
 - a. Staff Report: Police Department Staff
 - b. Council Consideration: Resolution No. 05-____

7. DISCUSS A PROPOSED RESOLUTION TO SUPPORT COLLABORATION WITH WASHINGTON COUNTY JURISDICTIONS REGARDING PROPOSED CHANGES TO GOAL 14 (URBANIZATION) AND THE URBAN GROWTH BOUNDARY ADMINISTRATIVE RULES, AND TO SUPPORT LOCAL CONTROL OVER THE LAND-USE PROCESS
 - a. Staff Report: Community Development Director Hendryx
 - b. Council Discussion
 - c. Council Direction: Direct staff to make revisions to the draft resolution and submit to the Council for its consideration at an upcoming Council meeting.

8. PUBLIC HEARING – TO CONSIDER AN ORDINANCE REPEALING ORDINANCE NO. 99-30, AS AMENDED, AND REVISING CERTAIN PROVISIONS IN THE TIGARD MUNICIPAL CODE RELATING TO THE LOCAL CONTRACT REVIEW BOARD, AND DECLARING AN EMERGENCY
 - a. Open Public Hearing
 - b. Declarations or Challenges
 - c. Staff Report: Community Development Department
 - d. Public Testimony
 - Proponents
 - Opponents
 - e. Staff Recommendation
 - f. Council Questions
 - g. Close Public Hearing
 - h. Council Consideration: Ordinance No. 05-_____

9. PUBLIC HEARING – TO CONSIDER A RESOLUTION REVISING PUBLIC CONTRACTING RULES, FINDINGS SUPPORTING THE REVISED PUBLIC CONTRACTING RULES, AND A REVISED PURCHASING AND CONTRACTING MANUAL
 - a. Open Public Hearing
 - b. Declarations or Challenges
 - c. Staff Report: Community Development Department
 - d. Public Testimony
 - Proponents
 - Opponents
 - e. Staff Recommendation
 - f. Council Questions
 - g. Close Public Hearing
 - h. Council Consideration: LCRB Resolution No. 05-_____

10. PUBLIC HEARING (QUASI-JUDICIAL) ASH CREEK ESTATES – LAND USE BOARD OF APPEALS (LUBA) REMAND - SUBDIVISION (SUB) 2003-00010/PLANNED DEVELOPMENT REVIEW (PDR) 2003-00004/ZONE CHANGE (ZON) 2003-00003/SENSITIVE LANDS REVIEW (SLR) 2003-00005/ADJUSTMENT (VAR) 2003-00036/ADJUSTMENT (VAR) 2003-00037

The following description was read by the Mayor at the February 8, 2005, City Council Meeting:

ITEM ON REMAND: The State Land Use Board of Appeals (LUBA) has remanded City Council's approval of a 29-lot Planned Development Subdivision on 9.3 acres and associated Zone Change, Sensitive Lands, and Adjustment reviews for additional findings to support their decision. This hearing is limited to the four specific assignments of error which are generally: 1) The City's acceptance of lower "K" values in relation to the proposed vertical sag on SW 74th and demonstration that the City Engineer is authorized to approve such deviations to adopted street standards; 2) The requirement that the applicant prepare and submit a tree plan that identifies the size, species, and location of trees on the site, provide a removal plan, protection plan, and mitigation program in accordance with Tigard Community Development Code (TCDC) Chapter 18.790; 3) Revised findings are required for the proposed curb tight sidewalks on SW 74th Avenue and also for the cul-de-sac standards to address the relevant criteria of TCDC Chapter 18.370.C.11; and 4) Additional findings related to the landscape protection criteria of TCDC Chapter 18.745.030.E. A full copy of LUBA's Final Opinion and Order can be obtained from City Hall at cost, or is also available online at <http://luba.state.or.us/pdf/2004/aug04/03194.htm>.

LOCATION: 9750 SW 74th Avenue; WCTM 1S125DC, Tax Lots 300 and 400. **ZONE:** R-4.5: Low-Density Residential District. The R-4.5 zoning district is designed to accommodate detached single-family homes with or without accessory residential units at a minimum lot size of 7,500 square feet. Duplexes and attached single-family units are permitted conditionally. Some civic and institutional uses are also permitted conditionally. **APPLICABLE REVIEW CRITERIA:** Tigard Community Development Code Chapters 18.370, 18.745, 18.790 and 18.810.

- a. Continue Public Hearing from February 8, 2005 (Mayor Dirksen)
- b. Declarations or Challenges

- c. Summation by Community Development Department Staff:
 - Review of written testimony received.
 - Review of rebuttal testimony received.
- d. Staff Recommendation
- e. Council Questions
- f. Close Public Hearing
- h. Council Consideration: One option would be to direct staff to prepare a final order to be considered by Council at the Council meeting of March 8, 2005.

11. COUNCIL LIAISON REPORTS

12. NON AGENDA ITEMS

13. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

14. ADJOURNMENT

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